

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Herbert Demond York, #369211,)	C/A No.: 1:17-795-RMG-SVH
)	
Plaintiff,)	
)	
vs.)	
)	
Ofc. Sheik Johnson; Warden Joseph)	ORDER
McFadden; Assist. Warden James)	
Blackwell; and Ms. Birch, Mental)	
Health Counselor,)	
)	
Defendants.)	
)	

Herbert Demond York (“Plaintiff”), proceeding pro se, filed this action on March 24, 2017. [ECF No. 1]. On October 20, 2017, Defendants filed a motion for summary judgment. [ECF No. 33]. As Plaintiff is proceeding pro se, the court entered an order pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), advising him of the importance of the motion and of the need for him to file an adequate response by November 20, 2017. [ECF No. 34]. Plaintiff was specifically advised that if he failed to respond adequately, Defendants’ motion may be granted. *Id.*

Notwithstanding the specific warning and instructions set forth in the court’s *Roseboro* order, Plaintiff failed to respond to the motion. As such, it appears to the court that he does not oppose the motion and wishes to abandon this action. Based on the foregoing, Plaintiff is directed to advise the court whether he wishes to continue with this case and to file a response to Defendants’ motion for summary judgment by December 12, 2017. Plaintiff is further advised that if he fails to respond, this action will be

recommended for dismissal with prejudice for failure to prosecute. *See Davis v. Williams*, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.

A handwritten signature in cursive script that reads "Shiva V. Hodges".

November 28, 2017
Columbia, South Carolina

Shiva V. Hodges
United States Magistrate Judge